

June 25, 2014

Present

Commissioners Joanne Clark, Ann Borders, Joyce Harrod, Jaime Windon, and Roy Myers, Town Manager Jean Weisman, Administrative Clerk Suzanna Warnick, and approximately 48 members of the public.

Call to Order

President Clark called to order the regular legislative session of the Commissioners of St. Michaels at 5:02 p.m., in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

Announcement of Prior Closed Session

President Clark announced that the Commissioners met in closed session on June 16, 2014 at 2:00 p.m., pursuant to Maryland Code, State Government Art., §10-508 (a) (7) to consult with counsel to obtain legal advice on a legal matter, specifically the Town's hearing with the State Ethics Board.

Announcements from the COSM, Staff and Public

President Clark said the Phase V of the street project was continuing, and the Town Manager Jean Weisman, Public Works Director Jeff Richardson and the Town engineer had met today with the contractors to review outstanding issues. President Clark announced that the State Ethics Board's consideration of the Town's exemption status, which had been scheduled for June 26, 2014, had been postponed to September 18, 2014 when the Board would have its full board membership present. President Clark said that the Commissioner and members of the Planning Commission met on June 23, 2014 to discuss the Comprehensive Plan. President Clark said that a joint decision was made to form a committee to study the feasibility of burying utility lines on Talbot Street. President Clark added that the committee would have two Commissioners, two members of the Planning Commission, a Town staff member and two members of the public. President Clark noted that the two participating Commissioners would be Commissioners Borders and Harrod, the two Planning Commission members would be Bill Frost and Dorrie McGuinness and that interested residents should contact Deborah Renshaw. Commissioner Harrod said she had participated in the Fredric Douglas Scholarship Awards program in Easton on June 21, 2014.

Public Hearing

- Ordinance No. 446 – Structures

President Clark opened the Public Hearing on Ordinance No. 446 and announced that Ordinance No. 446 was introduced by Commissioners Harrod, Borders and Myers at the Commissioners' June 11, 2014 meeting. President Clark called upon Mrs. Warnick, who read the title of the Ordinance and the list of exhibits into the record.

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340, ARTICLE XV (DEFINITIONS) OF THE CODE OF THE TOWN OF ST. MICHAELS, BY REPEALING AND REENACTING THE DEFINITION OF STRUCTURE; AND GENERALLY RELATING TO STRUCTURES IN THE TOWN OF ST. MICHAELS

Exhibit 1 Copy of draft Ordinance No. 446 dated June 25, 2014
Exhibit 2 Copy of Notice of Public Hearing to be held on June 25, 2014, as posted on the Town Bulletin Board, in the St. Michaels Post Office, on the

Town’s website, and as published in the *Star Democrat* on June 10 and 17, 2014.
Exhibit 3 Affidavit of publication in the *Star Democrat* for the Notice of Public Hearing

President Clark said that the Historic District Commission had reviewed Ordinance 446 and determined that the definition of “Structure” was now compatible with their definition. Zoning Office Deborah Renshaw provided information on procedures in applying the definition. The Commissioners then took public comment, after which President Clark closed the public hearing on Ordinance No 446. President Clark noted that the ordinance would be eligible for a vote at the next legislative session on July 23, 2014.

Consent Agenda

President Clark announced that a vote to approve the items on the consent agenda would include approval of the reports for the month of May, 2014, approval of a sign permit application for placement of ‘Crayons on Talbot’ on utility poles for the St. Michaels After School Help (SMASH) program, approval of a special permit application for an art fair in Muskrat Park, approval of the annual appointment of Deborah Renshaw as the Zoning Inspector / Codes Enforcement Officer; approval of a recommendation to reappoint Deborah Renshaw as representative from St. Michaels to Talbot County Economic Development Commission; and approval of a recommendation to appoint Kimberly Weller to replace Jean Weisman as representative from St. Michaels to the Talbot County Tourism Board. President Clark asked if the Commissioners wished to remove any item from the consent agenda for discussion on the regular agenda. Commissioner Borders asked to remove the Art Fair in Muskrat Park. As there were no other items removed, President Clark called for a motion to approve the consent agenda without the Art Fair. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor. The Commissioners then discussed the Art Fair request and decided to approve the permit application. President Clark called for a motion. Commissioner Harrod made the motion, which was seconded by Commissioner Windon, and which passed on a roll call vote of 5-0 in favor.

Ordinance for Discussion and Vote

- **Ordinance No. 447 – Critical Area Land Classifications**

President Clark announced that Ordinance No. 447 was introduced on May 14, 2014 by Commissioners Myers, Borders and Harrod, and that a Public Hearing was held on June 11, 2014, making the ordinance now eligible for vote. President Clark said the ordinance was related to the Critical Area Map amendment and is mandated by the State. President Clark then called upon Mrs. Warnick, who read the title of the ordinance into the record as follows:

ORDINANCE NO. 447: AN ORDINANCE TO AMEND THE TOWN OF ST. MICHAELS CRITICAL AREA MAP TO REFLECT MAPPING EFFORTS REQUIRED BY HOUSE BILL 1253. THE PROPOSED MAP REFLECTS NEW STATE DETERMINED SHORELINE AND LANDWARD BOUNDARIES OF TIDAL WETLANDS AND THE DELINEATION OF THE 1,000-FOOT CRITICAL AREA BOUNDARY BASED ON CURRENT AERIAL IMAGERY AND PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY; AND GENERALLY RELATING TO CRITICAL AREA LAND CLASSIFICATIONS

As there were no comments or changes by the Commissioners or the public, President Clark called for a motion to adopt Ordinance No. 447 as presented. Commissioner Myers made the motion, which was seconded by Commissioner Borders, and which passed on a roll call vote of 5-0 in favor.

Board and Commission Appointment

- Appointment of Roger Galvin to the Parks and Recreation Advisory Board

President Clark said that Roger Galvin had requested re-appointment to the Parks and Recreation Advisory Board, noting that he had served on the board in the past, but left his term in early Fall 2013. President Clark said Mr. Galvin recently approached the board's Chairman saying that he would like to continue serving on the board and the Parks and Recreation Board has unanimously approved his request. President Clark said Mr. Galvin's appointment would bring the total members to four, with one vacancy remaining. After a brief discussion, President Clark called for a motion to approve the appointment of Roger Galvin to the Parks and Recreation Advisory Board for a term ending December 31, 2016. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor.

Items for Discussion

- Draft of Fremont Community Streetscape Revitalization

President Clark introduced Doug Davies from Eastern Shore Land Conservancy (ESLC) who was in attendance to address any questions the Commissioners might have. President Clark said also in attendance were representatives from the Acme Market. President Clark noted that the Commissioners and the Planning Commission had been working with the ESLC to address the Fremont Street revitalization project with public funds left over from Miles Point. Debbie Renshaw then provided more detail on the project and explained the Memorandum of Understanding (MOU). Mr. Davies joined the discussion by noting that the ESLC's engineers were currently vetting the preliminary design, and referencing the Acme Representatives present said that he understood they were positive about the proposed plans for Fremont Street adjacent to their parking lot. Mr. Davies provided additional details, including additional funding sources. The Commissioners had a number of questions, after which they took public comment. The Acme representatives said they liked the plan and received assurances that no parking spaces would be lost as a result. The Commissioners then agreed to sign the MOU, and President Clark called for a motion. Commissioner Myers made the motion to sign the Memorandum of Understanding with the Eastern Shore Land Conservancy, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

- Trucks and Buses on E. Chew Avenue and Town Alleys

President Clark explained that Chew Avenue is currently being repaired and resurfaced and large trucks and 18-wheelers making deliveries to the hotel at the end of the street no doubt contributed to its deterioration over the years. President Clark said the Commissioners decided to have a discussion of how to possibly re-direct or minimize the number of trucks to help make the repairs to the street last, and also to protect pedestrians walking on the street, as there are no sidewalks. President Clark then called upon Jean Weisman, who said she had had a number of requests from street residents to reduce or eliminate truck traffic on E. Chew. Mrs. Weisman said staff had drafted a resolution that would direct commercial traffic and busses going to the Harbour Inn to use Seymour Avenue for trips both in and out of town. Mrs. Weisman said staff would work with Chief Smith on the proper street signage. The Commissioners then took public comment. The Commissioners also discussed how to restrict repair trucks from using Town alleys. Mr. Thorkelson of E. Chew suggested that the two issues – commercial deliveries and use of in-town alleys - should be two separate resolutions, and three Commissioners agreed. President Clark said the Commissioners would calendar another discussion of the matter for a meeting in the near future.

- Use of Parks

Commissioner Borders opened the discussion on the use of Town parks, and invited Communications Manager Kim Weller and Parks committee member Marie Martin to participate in the discussion. It was decided that no tents would be allowed in Muskrat Park, no receptions would be allowed in any of the parks, but that simple wedding ceremonies, memorial services, and other public or private events would be allowed in the parks and would require a permit from the Commissioners to control noise and times. The Commissioners agreed to add a definition for private events and to set the number of events per day and per weekend. The Commissioners also discussed whether the gazebos should be reserved. The Commissioners directed staff to make the changes suggested and agreed to have another discussion at their meeting on July 9, 2014. The Commissioners then took public comment.

- Fees for Park Use

Commissioner Borders opened the discussion and reviewed with the Commissioners a fee schedule she had compiled.

- MDE Grant for Arsenic Removal

Mrs. Weisman said that Commissioners were aware that the Town had received a \$1,357,000 grant for the arsenic removal system in Well #2. Mrs. Weisman said the project needed to go out by December 2014, and MDE had approved the engineering firm that was the bid winner – URS. Mrs. Weisman said that the Town had to make a 12 ½% match of \$193,860.00. Mrs. Weisman suggested that the funds be taken from general funds, prior year reserves, to be repaid when the Town does the permit financing for it. Mrs. Weisman said she was looking for a motion to approve the expenditure. Commissioner Borders made the motion to approve the expenditure of \$193,860.00 to move forward with the arsenic removal project. Commissioner Harrod seconded it and the motion passed on a roll call vote of 5-0 in favor.

Comments from the Public

Mr. Estrella of East Chew Avenue said a fundraising event in St. Mary's Square last year had snarled traffic on Mulberry Street and that this year it was suggested that the Police Department close the whole street to prevent two-way traffic on St. Mary's Square.

Commissioners' Calendar

The Commissioners made agenda additions and changes for their meetings in July and August 2014.

Announcement of Future Meetings/Events

President Clark made announcements as follows:

- July 4, 2014 – Town Office closed in observance of Independence Day
- July 9, 2014 – 5:00 – Town Office – COSM Regular Work Session
- July 23, 2014 – 5:00 – Town Office – COSM Regular Legislative Session

Adjournment

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Suzanna Warnick

Public Handouts:
Agenda

The Commissioners of St. Michaels
June 26, 2014

Resolution 2014-05 – No Commercial Vehicles
Fremont Street Community Streetscape Revitalization
Ordinance No. 446 – Structure
Ordinance No. 447 – Critical Area Maps
Weddings and Gatherings in St. Michaels Parks